

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

JANE DOE,

Plaintiff,

v.

**JONATHAN BARAM and WARREN &
BARAM MANAGEMENT LLC,**

Defendants.

Case No. 1:20-CV-09522-ER/DCF

**AFFIRMATION IN SUPPORT
OF PLAINTIFF'S ORDER TO
SHOW CAUSE FOR DEFAULT
JUDGMENT AGAINST
DEFENDANT WARREN &
BARAM MANAGEMENT LLC**

AFFIRMATION OF GREG G. GUTZLER

GREG G. GUTZLER hereby declares as follows under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I am a member of the Bar of this Court and am a partner of the firm of DiCello Levitt Gutzler LLC, attorneys for Plaintiff Jane Doe in the above-entitled action.
2. I make this affirmation pursuant to LCR 55.1 and 55.2(a), in support of Plaintiff's application for the entry of a default judgment against Defendant Warren & Baram Management LLC.
3. This is an action to recover damages under the Trafficking Victims Protection Reauthorization Act, 18 U.S.C. § 1595, and State law, brought by Plaintiff Jane Doe, arising from the Defendants' sex trafficking of Jane Doe to Peter Nygard. The Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331, insofar as the TVPRA claim is brought under federal law, as well as supplemental jurisdiction over the State law claims pursuant to 28 U.S.C. § 1337(a).
4. This action was commenced on November 12, 2020, by the filing of the summons and complaint. A copy of the summons and complaint was served on the Defendants on November

18, 2020, by personal service on Jonathan Baram, who accepted service on behalf of himself and Warren & Baram Management LLC, and affidavits of service were filed November 19, 2020.

5. To date, Defendant Warren & Baram Management LLC has not answered the complaint or otherwise appeared in this case, and the time do so expired on or about December 6.

6. Defendant Baram appeared *pro se* in a telephonic Pre-Motion Conference with the Court and with attorneys for the Plaintiff on February 5, 2020. During this conference, Baram, who is listed as the Chief Executive Officer of, and who accepted service on behalf of, Warren & Baram Management LLC, stated that he had no issue with the filing of a default judgment on the company, which did not appear at the conference.

7. Entry by default of judgment as to liability against defendant Warren & Baram Management LLC is therefore warranted through the annexed Order to Show Cause.

Dated: New York, New York
April 13, 2021

By: /s/ Greg G. Gutzler
Greg G. Gutzler
DICELLO LEVITT GUTZLER LLC
444 Madison Avenue, Fourth Floor
New York, New York 10022
Tel.: 646-933-1000
gutzler@dicellosevitt.com

Counsel for Plaintiff